

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA

v.

SUMMER TENILLE DELP,

Defendant.

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Case No. 1:15CR000003-5

ORDER

By: James P. Jones
United States District Judge

Upon motion of the defendant for a reduction in sentence under 18 U.S.C. § 3582(c)(1)(A), and after considering the applicable factors provided in 18 U.S.C. § 3553(a) and the applicable policy statements issued by the Sentencing Commission, and for the reasons stated on behalf of the United States, it is **ORDERED** that the motion, ECF No. 1149, is DENIED after complete review of the motion on the merits.

The defendant, Summer Tenille Delp, is a 42-year-old inmate at FMC Carswell serving a 192-month term of incarceration. Pursuant to a plea agreement, the defendant pleaded guilty to conspiracy to distribute and possess with the intent to distribute over 4.5 kilograms of “ice” methamphetamine, in violation of 21 U.S.C. §§ 846, 841(b)(1)(C). She has served approximately five years in prison, representing about 30 percent of her total sentence. She suffers from obesity, a rapid heartbeat, has had a pacemaker surgically implanted, and has a history of smoking. She seeks early release or home confinement, arguing that her medical conditions

increase her risk for severe illness or death from COVID-19. After filing this motion Delp tested positive for COVID-19 on January 21, 2021, Gov't's Resp. in Opp'n Attach., Health Servs. R. 1, ECF No. 1171-1, and there is no suggestion that she has suffered serious results.

Delp was a high-level sub-distributor in a complex methamphetamine distribution conspiracy. Upon direction from the leader of a drug ring, Delp retrieved shipments of methamphetamine stashed inside tractor trailers that had arrived in Southwest Virginia, and also arranged for payment. After her superior was arrested, Delp personally trafficked over 1.5 kilos of methamphetamine from Tennessee into this district. She sold large quantities of the drug, and at one time was selling one pound per month. The threat of incarceration did not deter Delp, as during one period she was selling methamphetamine on the weekdays and then reporting to jail on the weekends to satisfy a state sentence. Indeed, she participated in this conspiracy after having been convicted for shooting someone and selling drug paraphernalia. She is also a threat to the public, as she carried firearms during this conspiracy, and repeatedly used them to intimidate suspected informants.

Considering these facts and the § 3553(a) factors, including factors (1), 2(A), 2(B), and 2(C), I find that the defendant is not qualified for such extraordinary relief.

ENTER: April 23, 2021

/s/ JAMES P. JONES
United States District Judge